IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.3610 OF 2003

Saudi Arabian Airlines. ...Petitioner.
Vs.
Assistant P.F. Commissioner & Ors. ...Respondents.

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Mr. Panlose with Mr. M. Londhe i/b. S. Udeshi & Co. for the Petitioner.
Mr. M.S. Karnik for Respondent Nos.1 and 2.

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CORAM : F. I. REBELLO AND
DR.D.Y.CHANDRACHUD, JJ.

February 22, 2006.

P.C.

The Petitioner has an alternate efficacious remedy available by way of an appeal. In the light of that, the Learned Counsel seeks leave to withdraw the petition with liberty to file an appeal.

The Learned Counsel states that considering the pendency of the matter before this Court, the delay, if any, in preferring an appeal should be condoned. On behalf of the Respondents, P.F. Commissioner, the Learned Counsel states that if an appeal is preferred within 30 days from today, the Respondents will not raise plea of limitation and the appeal can be disposed of on merits. Considering the above, the Petition is

disposed of as withdrawn. The Appellate Authority, if an appeal is filed within 30 days, to hear and dispose of the same on merits.

(F. I. Rebello, J.)

(Dr.D. Y. Chandrachud, J.)